



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

**News Media Information 202 / 418-0500**  
**Internet: <http://www.fcc.gov>**  
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**DA 17-866**  
**September 8, 2017**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE  
TRANSFER OF CONTROL OF NORCAST COMMUNICATIONS CORPORATION, INC. AND  
BLUE ROOSTER TELECOM, INC. TO DIGITAL WEST NETWORKS, INC.**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 17-221**

**Comments Due: September 22, 2017**  
**Reply Comments Due: September 29, 2017**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Norcast Communications Corporation, Inc. (Norcast), Blue Rooster Telecom, Inc. (Blue Rooster), and Digital West Networks, Inc. (Digital West) (collectively, Applicants), pursuant to Section 214 of the Communications Act of 1934, as amended, and Sections 63.03-04 of the Commission's rules, requesting approval to transfer control of Norcast and Blue Rooster to Digital West.<sup>1</sup>

Norcast, and its wholly owned subsidiary, Blue Rooster, both California corporations, each provide competitive local exchange and interexchange telephone services in California.

Digital West, a California corporation, operates a fiber optic network in the Central Coast area of California and provides competitive telecommunications services and other services to commercial customers. Digital West is wholly owned by Digital West Holdings, Inc. (Digital West Holdings), a California corporation and holding company. Applicants state that, post-consummation, the following U.S. citizen and U.S. investment management firm will hold a 10 percent or greater interest in Digital West Holdings: Timothy L. Williams (76 percent) and Farragut Capital Partners5425 (15 percent).<sup>2</sup> Applicants further state that neither Timothy L. Williams nor Farragut Capital Partners5425 will hold interests in any other telecommunications carrier except for Digital West, Norcast, and Blue Rooster.

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed an application for the transfer of authorizations associated with international services. On September 6, 2017 and September 8, 2017, Applicants filed supplements to their domestic application. Any action on this domestic Section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> Applicants state that Farragut Capital Partners5425 is managed by the following U.S. citizens: Philip A. McNeill, Javier E. Aguirre, and G. Cabell Williams, III.

Pursuant to the terms of the proposed transaction, Digital West will acquire all the issued and outstanding stock in Norcast, therefore acquiring direct control of Norcast and indirect control of Blue Rooster. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under Section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>3</sup>

Domestic Section 214 Application Filed for the Transfer of Control of  
Norcast Communications Corporation, Inc. and Blue Rooster Telecom, Inc. to  
Digital West Networks, Inc., WC Docket No. 17-221 (filed Aug. 28, 2017).

## **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to Section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before September 22, 2017**, and reply comments **on or before September 29, 2017**. Pursuant to Section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to Section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

### **In addition, e-mail one copy of each pleading to each of the following:**

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov);
- 3) David Krech, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov);
- 4) Sumita Mukhoty, International Bureau, [sumita.mukhoty@fcc.gov](mailto:sumita.mukhoty@fcc.gov), and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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<sup>3</sup> 47 CFR § 63.03(b)(2)(i).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

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